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November 17, 2003

CERTIFICATE OF MAILING 37 C.F.R. § 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: MS Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date below:	
November 17, 2003 Date	 Mark B. Wilson

**MS SEQUENCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 09/943,984 entitled "SENSITIZATION OF HER-2/NEU OVEREXPRESSING CANCER CELLS TO CHEMOTHERAPY" – by Mien-Chie Hung and Naoto T. Ueno*  
*Our reference: UTSC:484USC1*  
*U.T. reference: MDA96-012*  
*Morrison & Foerster reference: 22627-20035.01*

Sir:

Please find enclosed:

- (1) A Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed September 17, 2003;
- (2) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (3) Computer Readable Form of Sequence Listing;
- (4) Paper Copy of Sequence Listing;

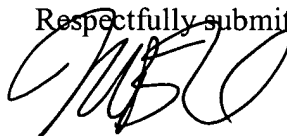
25357986.1

Commissioner for Patents  
November 17, 2003  
Page 2

- (5) Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

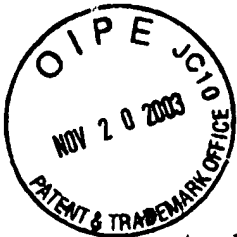
Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:484USC1.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MBW', is written over the typed name.

Mark B. Wilson  
Reg. No. 37,259

MBW/jle  
Encl: as noted



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Mien-Chie Hung  
Naoto T. Ueno

Serial No.: 09/943,984

Filed: August 31, 2001

For: SENSITIZATION OF HER-2/NEU  
OVEREXPRESSING CANCER CELLS  
TO CHEMOTHERAPY

Group Art Unit: 1632

Examiner: Unknown

Atty. Dkt. No.: UTSC:484USC1

**CERTIFICATE OF MAILING  
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November 17, 2003

Date

Mark B. Wilson

**RESPONSE TO NOTICE TO COMPLY OFFICE COMMUNICATION**

**MS SEQUENCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to Comply with Office Communication, dated September 17, 2003, there are enclosed herewith:

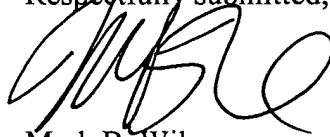
- (a) Statement as Required Under 37 C.F.R. § 1.825(a) and (b) and Statement as Required Under 37 C.F.R. § 1.821(g);
- (b) Computer Readable Form of Sequence Listing;
- (c) Paper Copy of Sequence Listing; and

(d) A copy of Notice to Comply with Requirements for Patent Applications  
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason  
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Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:484USC1.

Please date stamp and return the accompanying postcard to evidence receipt of these  
documents.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: November 17, 2003



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/943,984	08/31/2001	Mien-Chie Hung	UTSC:484USC1/TMB

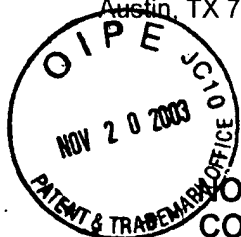
CONFIRMATION NO. 2580

## FORMALITIES LETTER



\*OC000000010891912\*

Mark B. Wilson  
 FULBRIGHT & JAWORSKI L.L.P.  
 Suite 2400  
 600 Congress Avenue  
 Austin, TX 78701



Date Mailed: 09/17/2003

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
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 P.O. Box 1450

Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

Y. G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE